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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

In the Matter of the Seizure of:

Any and all funds held in Republic
Bank of Arizona Account(s) xxxx1889,
xxxx2592, xxxx1938, xxxx2912, and
xxxx2500.

CASE NO. 2:18-cv-6742-RGK (MAAx)
18-MJ-00722-PJW

[Related to Case Nos. 18-MJ-00712,
18-MJ-00713, 18-MJ-00715,
18-MJ-00716, 18-MJ-00718,
18-MJ-00719, 18-MJ-00720,
18-MJ-00721, 18-MJ-00723,
18-MJ-00724, 18-MJ-00751,
18-MJ-00797, 18-MJ-00798,
18-MJ-00996, 18-MJ-00997,
18-MJ-01427, and 18-MJ-01863]

MICHAEL LACEY'S JOINDER IN
JAMES LARKIN'S MOTION TO
VACATE OR MODIFY SEIZURE
WARRANTS

[Filed concurrently with [Proposed]
Order]

Date: August 29, 2018
Time: 1:30 P.M.
Crtrm.: 790

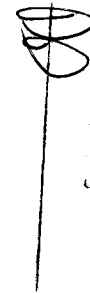
Assigned to Hon. R. Gary Klausner

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FILED

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
9

10 **In the Matter of the Seizure of:**

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16 **MICHAEL LACEY'S JOINDER IN**
17 **JAMES LARKIN'S MOTION TO**
18 **VACATE OR MODIFY SEIZURE**
19 **WARRANTS**

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28

1 TO THE COURT AND ALL COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT Michael Lacey, by and through his counsel,
3 will and hereby does join in James Larkin's Motion to Vacate or Modify Seizure
4 Warrants (the "Motion") filed in the above-captioned action, and adopts all of the
5 positions set forth in the Motion as if fully set forth herein. Counsel understands
6 that Mr. Lacey's cases, together with several other related cases, have been
7 consolidated by Judge Walsh given the numerous overlapping and related issues.
8 The seizures in each of these cases were issued out of this Court, stem from the
9 same underlying allegations, and relate to the same set of individuals.

10 Mr. Lacey holds an interest in the assets that were seized in Related Case
11 Nos. 2:18-MJ-00715, 2:18-MJ-00716, 2:18-MJ-00723, 2:18-MJ-00996,
12 2:18-MJ-00997, and 2:18-MJ-01863. *See* Exh. A (Declaration of Michel Lacey).¹
13 Mr. Lacey therefore joins in the Motion as to the assets seized in Related Case Nos.
14 2:18-MJ-00715, 2:18-MJ-00716, 2:18-MJ-00723, 2:18-MJ-00996, 2:18-MJ-00997,
15 and 2:18-MJ-01863, specifically:

- 16 • First Federal Savings & Loan of San Rafael account number ending in
17 xx3620;
- 18 • San Francisco Fire Credit Union account number ending in xx2523,
19 which the government may also have designated as account number
20 ending in xx44S10 in the civil seizure bearing case number 2:18-mj-
21 00723;
- 22 • Republic Bank of Arizona account number ending in xx2485;
- 23 • Republic Bank of Arizona account number ending in xx3126;
- 24 • Republic Bank of Arizona Certificate of Deposit Account Registry
25 Service ("CDARS") account number ending in xx8316;
- 26

27
28 ¹ Mr. Lacey's Declaration, which was also filed in support of the Motion,
identifies the seized bank and brokerage accounts in which he holds an interest.

- Republic Bank of Arizona CDARS account number ending in xx8324;
- Republic Bank of Arizona CDARS account number ending in xx8332;
- Republic Bank of Arizona account number ending in xx1897;
- Primus Trust (Binghampton Trust) account number ending in xx1210;
- BBVA Compass Bank account number ending in xx3873; and
- BBVA Compass Bank account number ending in xx4862.

Mr. Lacey joins in the Motion because he is “so similarly situated [to Mr. Larkin] that filing an independent motion would be redundant.” *Tatung Co., Ltd. v. Shu Tze Hsu*, 217 F. Supp. 3d 1138, 1151 (C.D. Cal. 2016). The purported basis for the seizures of Mr. Larkin’s accounts are identical to the purported basis for the seizures of Mr. Lacey’s accounts, namely that the funds held in their accounts derived from revenues from Backpage.com advertisements that allegedly solicited prostitution. The Motion raises issues that are directly relevant to and overlap with the seizures of Mr. Lacey’s assets. All of the arguments made in the Motion therefore apply with equal force to the seizure warrants issued against the assets in which Mr. Lacey holds an interest.

DATED: August 10, 2018

Respectfully submitted,

Paul J. Cambria, Jr.
Lipsitz Green Scime Cambria LLP

By: /s/ Paul J. Cambria, Jr.
Paul J. Cambria, Jr.
Attorneys for Michael Lacey

DECLARATION OF MICHAEL LACEY

I, Michael Lacey, declare as follows:

1. I am an individual over the age of eighteen. I submit this declaration based upon my own personal knowledge and, if called as a witness, could and would competently testify thereto under oath.

2. I submit this declaration in support of the *Notice of Motion and Motion to Vacate or Modify Seizure Warrants* (the "Motion") with which this declaration is being concurrently filed.

3. I am a legal and/or beneficial owner of, or hold a direct or indirect interest in, the following assets and their contents (the "Subject Assets"):

- a. First Federal Savings & Loan of San Rafael account number ending in xx3620;
- b. San Francisco Fire Credit Union account number ending in xx2523, which the government may also have designated as account number ending in xx44S10 in the civil seizure bearing case number 2:18-mj-00723;
- c. Republic Bank of Arizona account number ending in xx2485;
- d. Republic Bank of Arizona account number ending in xx3126;
- e. Republic Bank of Arizona Certificate of Deposit Account Registry Service ("CDARS") account number ending in xx8316;
- f. Republic Bank of Arizona CDARS account number ending in xx8324;
- g. Republic Bank of Arizona CDARS account number ending in xx8332;
- h. Republic Bank of Arizona account number ending in xx1897;
- i. Primus Trust (Binghampton Trust) account number ending in xx1210;
- j. BBVA Compass Bank account number ending in xx3873; and
- k. BBVA Compass Bank account number ending in xx4862.

4. I did not give permission or otherwise consent to the government's seizure of the Subject Assets.

1 5. I join in and consent to the request in the Motion to consolidate the related
2 cases identified in the caption of the Motion and in the separately filed Notice of Related
3 Cases.

4 I swear under penalty of perjury of the laws of the United States of America that the
5 foregoing is true and correct. Executed this 31 day of July, 2018 in San Francisco Calif.

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7 Michael Lacey
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